

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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IN RE WORLD TRADE CENTER :
LOWER MANHATTAN DISASTER :
SITE LITIGATION :
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21 MC 102 (AKH)

This order relates to:

07 Civ. 1619 (AKH)
07 Civ. 5338 (AKH)

USDC SDNY
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IT IS HEREBY STIPULATED AND AGREED by and between the undersigned for the parties herein, that with respect to the actions listed above, *Leonard Gawin & Miroslawa Gawin v. 2 Gold LLC, et al.* (07 Civ. 1619) and *Sime Begonja & Sliva Begonja v. 90 Church Street Limited Partnership, et al.* (07 Civ. 5338), whereas no party herein is an infant, incompetent person for whom a committee has been appointed or conservatee and no person not a party has an interest in the subject matter of this action, and based on the representation of the within Defendant, and to the extent Plaintiff(s) can so stipulate, that each claim, cross-claim and counter-claim asserted by and against Defendant NEW YORK CITY INDUSTRIAL DEVELOPMENT AGENCY, only as to the claims being made as to the premises located at 75 Varick Street, New York, New York and 76 Varick Street, New York, New York, shall be and are hereby discontinued without prejudice and without costs to any party as against the other.

IT IS FURTHER STIPULATED AND AGREED that should evidence be discovered throughout this litigation which determines that the NEW YORK CITY INDUSTRIAL DEVELOPMENT AGENCY is a proper entity to this suit, that Plaintiff(s) may reinstitute the actions listed herein without regard to the applicable Statute of Limitations, assuming said original action was timely commenced, and in such instance Defendant shall not assert Statute of Limitation as a defense.

This Stipulation may be filed without notice with the Clerk of the Court.

Dated: New York, New York
September 17, 2007

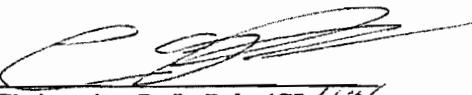
MICHAEL A. CARDOZO
Corporation Counsel
Attorney for Defendant
NEW YORK CITY INDUSTRIAL
DEVELOPMENT AGENCY

By:


Peter E. Wies (PW-2763)
New York City Law Department
100 Church Street, Rm 4-175
New York, New York 10007
(212) 788-1409

WORBY GRONER EDELMAN
& NAPOLI BERN, LLP
Attorneys for Plaintiff(s)

By:


Christopher R. LoPalo (CLE 908)
115 Broadway, 12th Floor
New York, New York 10006
(212) 267-3700

*To agree
9/20/07
John E. Bellino*